# MAY 1 0 2005

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	Examiner: Turner, Sharon L.
Kevin P. BAKER, et al.	)	Art Unit: 1647
Application Serial No. 10/015,610	)	Confirmation No: 4459
Filed: December 12, 2001	)	Attorney's Docket No. 39780-2830 P1C52
For: PRO1306 NUCLEIC ACIDS	)	Customer No. 35489

EXPRESS MAIL LABEL NO. <u>EL 993 635 961 US</u>

DATE MAILED: MAY 10, 2005

#### AMENDMENT UNDER 37 C.F.R. §1.48(b) AND 37 C.F.R. §1.312

#### **MAIL STOP AF**

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

#### Dear Sir:

In the above identified application, a Notice of Allowance was mailed on April 19, 2005, but an issue fee has not bee paid. Having reviewed the allowed claims, Applicants have found that as a result of claim amendments made during prosecution, fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the present application. Accordingly, please <u>delete</u> the names of the following inventors, who have not made an inventive contribution to the currently claimed subject matter:

Kevin P. Baker	David Botstein
Napoleone Ferrara	Sherman Fong
Wei-Qiang Gao	J. Christopher Grimaldi
Kenneth J. Hillan	James Pan
Nicholas F. Paoni	Margaret Ann Roy
Victoria Smith	Timothy A. Stewart
Daniel Tumas	Colin K. Watanabe
P. Mickey Williams	

Upon entering the present amendment, Luc Desnoyers, Dan L. Eaton, Audrey Goddard, Paul J. Godowski, Austin Gurney and William I. Wood remain named inventors in this case.

In addition, Applicants request the PTO to take note of the Revocation and Power of Attorney and Change of Address filed on February 28, 2003, a copy of which is enclosed herewith, and kindly direct all future correspondence to the address indicated, *i.e.*, to

Ginger R. Dreger
HELLER EHRMAN LLP
275 Middlefield Road
Menlo Park, California 94025
Telephone: (650) 324-7000

Facsimile: (650) 324-0638

Please charge the fee of \$130.00 and/or any fees that might become applicable, including any fees for extension of time, or credit overpayment to Deposit Account No. <u>08-1641</u>, referencing Attorney's Docket No. <u>39780-2830 P1C52</u>. Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: May 10, 2005

Anna L. Barry (Reg. No. 51,436)

HELLER EHRMAN LLP

275 Middlefield Road Menlo Park, California 94025 Telephone: (650) 324-7000 Facsimile: (650) 324-0638

SV 2123518 v1 5/9/05 5:36 PM (39780.2830) Please type a plus sign (+) inside this box  $\Pi$ 

Approved for use through 09/30/2000. OMB 0651-003/
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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			11 125	Application Numb	er		10/015,610
Т	RA	NSMITTAL	•	Filing Date			DECEMBER 12, 2001
		FORM		First Named Inven	tor		KEVIN P. BAKER
(to be used t	for all c	orrespondence after ir	nitial filing)	Group/Art Unit	Group/Art Unit		1647
		•		Examiner Name		•	TURNER, SHARON L.
Total Number of Pages in This Submission .11			Attorney Docket N	umber	;	39780-2830 P1C52	
			ENCLOSU	RES (check all that ap	oly)		
FEE TRANSM		FORM	Copy of a	n Assignment			After Allowance Communication to Group Appeal Communication to Board of
Amendment / F		se		-related Papers			Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Final				Routing Slip (PTO/SB/69 mpanying Petition	))		Proprietary Information
Version With Markings Showing Changes			Petition to	Convert to a al Application			Status Letter
Affidavits/declaration(s)			J. 51, 51, 51, 51, 51, 51, 51, 51, 51, 51,		$\boxtimes$	ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW):	
Extension of Time Request Information Disclosure Statement Certified Copy of Priority Document(s)					COPY OF REVOCATION AND POWER OF ATTORNEY AND CHANGE OF ADDRESS; and STAMPED RETURN POSTCARD		
Response to M Application	lissing l	Parts/ Incomplete	Remarks			11	100
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Firm or	uer		IGNATURE OF AP	PLICANT, ATTORNEY			ı. No. 51,436)
Firm or Individual name		ER EHRMAN LLP Middlefield Road, Me	nlo Park, Californi		e: (650) 324		Facsimile: (650) 324-0638
Signature		Bar	n				
Date MAY 10, 2005			Customer Numbe	r: <b>35</b>	489		
			CERTIFICA	TE OF EXPRESS MAIL	ING		
I hereby certify that to 37 C.F.R. §1.10 on to 1450, on this date: N	he date	e indicated below and	deposited with the laddressed to: MAI	United States Postal Sei L STOP AF, Commission Express Mail Labe	oner for Pate	ents, PO	Post Office to Addressee" service under Box 1450, Alexandria, Virginia 22313-
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Signature		Ofm			Date	MAY 1	0, 2005

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop \_\_\_\_, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (12-04)

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ons are required to respond to a collection of information unless it displays a valid OMB control number.

### FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 130.00	(9	;)	1	3	0		0	(
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Complete if Known					
Application Number	10/015,610				
Filing Date	DECEMBER 12, 2001				
First Named Inventor	KEVIN P. BAKER				
Examiner Name	TURNER, SHARON L.				
Art Unit	1647				
Attorney Docket No.	39780-2830 P1C52				

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)	
Check Credit card Money Other None	8 3. ADDITIONAL FEES	
Deposit Account:	Large Entity   Small Entity	
Denosit	Fee Fee Fee Fee Fee Description Code (\$)	Fee Paid
Account Number 08-1641 (39780-2830 P1C52)	1051 130 2051 65 Surcharge - late filing fee or oath	
Deposit Account HELLER EHRMAN LLP	1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet	
Name The Director is authorized to: (check all that apply)	1053 130 1053 130 Non-English specification	<del></del>
Charge fee(s) indicated below Credit any overpayments	1812 2,520 1812 2,520 For filing a request for ex parte reexamination	
Charge any additional fee(s) or any underpayment of fee(s)	1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
	1251 120 2251 60 Extension for reply within first month	
FEE CALCULATION	1252 450 2252 225 Extension for reply within second month	
1. BASIC FILING FEE Large Entity Small Entity	1253 1,020 2253 510 Extension for reply within third month	
Fee Fee Fee Fee Description Fee Paid	1254 1,590 2254 795 Extension for reply within fourth month	
Code (\$) Code (\$) 1001 300 2001 150 Utility filing fee	1255 2,160 2255 1,080 Extension for reply within fifth month	
1002 200 2002 100 Design filing fee	1401 500 2401 250 Notice of Appeal	
1003 200 2003 100 Plant filing fee	1402 500 2402 250 Filing a brief in support of an appeal	<b></b>
1004 300 2004 150 Reissue filing fee	1403 1,000 2403 500 Request for oral hearing	<b></b>
1005 200 2005 100 Provisional filing fee	1451 1,510 1451 1,510 Petition to institute a public use proceeding	
SUBTOTAL (1) (\$)	1452 500 2452 250 Petition to revive - unavoidable	
	1453 1,500 2453 750 Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501 1,400 2501 700 Other issue lee (0) leissue)	
Extra Claims below Fee Paid	id 1502 800 2502 400 Design issue fee	
Total Claims20** = X =	1503 1,100 2503 550 Plant issue fee	
Claims -3" =	1460 130 1460 130 Petitions to the Commissioner	130.00
Multiple Dependent	1807 50 1807 50 Processing fee under 37 CFR 1.17(q)	
Large Entity : Small Entity Fee Fee Fee Fee Fee Description	1806 180 1806 180 Submission of Information Disclosure Stmt	
Code (\$) Code (\$)	8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
1202 50 2202 25 Claims in excess of 20 1201 200 2201 100 Independent claims in excess of 3	1809 790 2809 395 Filing a submission after final rejection (37 CFR 1.129(a))	
1203 360 2203 180 Multiple dependent claim, if not paid	d 1810 790 2810 395 For each additional invention to be examined (37 CFR 1.129(b))	
1204 200 2204 100 ** Reissue independent claims over original patent	1801 790 2801 395 Request for Continued Examination (RCE)	
1205 50 2205 25 ** Reissue claims in excess of 20 and over original patent	1802 900 1802 900 Request for expedited examination of a design application	
SUPTOTAL (2)	Other fee (specify)	
SUBTOTAL (2) (\$)	*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)	130.00

SUBMITTED BY	(Complet	(Complete (if applicable))		
Name (Print/Type)	ANNA L. BARRY	Registration No. (Attorney/Agent) 51,436	Telephon	e (650) 324-7000
Signature	Bans		Date	MAY 10, 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. VIA FIRST CLASS MAIL DATE MAILED: February 28, 2003 Attorney's Docket No. 39780-2830.052 US C

Applicant(s): Baker et al.

Title: Secreted and Transmembrane Polypetides and Nucleic

Commissioner for Patents Washington, D.C. 20231

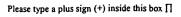
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MAR 1 7 2003

SIR:
Please place the U.S. Patent and Trademark Office date Namp hereon to acknowledge receipt of the following:

Transmittal letter; Revocation and Power of Attorney and Change of Address; and return postcard.





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PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 199	Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.					
·	Application Nun	nber	1	10/015610		
TRANSMITTA	$\mathbf{L}$	Filing Date		.:	12/12/2001	
FORM		First Named Inventor		]	Baker et al.	
(to be used for all correspondence after initial filing)		Group/Art Unit		1	Unknown	
·	Examiner Name		1	Unknown		
Total Number of Pages in This Submission	Attorney Docket 1	Number		39780-2830.052 US C		
ENCLOSURES (check all that apply)						
Fee Transmittal Form Fee Attached Amendment / Response After Final Version with Markings Showing Changes Affidavits/declaration(s) Extension of Time Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/Incomplete Application Response to Missing Parts under 37 CFR	nent Papers pplication) g(s)  ng-related Papers  Routing Slip (PTO/S) companying Petition to Convert to a conal Application of Attorney, Revocation of Correspondence A al Disclaimer intity Statement for Refund  TION TO CHARGE DOCKET No. 39780 N WITH THIS PAP	on ddress C DEPOSIT	C ACC	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Additional Enclosure(s) (please identify below): stamped return postcard		
1.52 or 1.53 SIGN				GENT		
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT  Firm or   Ginger R. Dreger, Reg. No. 33,055, HELLER EHRMAN WHITE & McAULIFFE LLP  Signature   O					-	
Date 2.28.03		Customer Numb	)er:   33	489		
	C1. (a.co., Dn. 2. co.)					
Signature Sungl	ger	Date	2.	28.03		

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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	K. Baker, et al.	Group Art Unit Unknown I hereby certify that this correspondence and all
Appl. No.	:	Listed Below	marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for
Filed	:	Listed Below	Patents, Washington, D.C. 20231, on  2. 28.03
For	:	SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME	(Date) ) Ginger R. Dreger, Reg. No. 33,055 ) )
Examiner	:	UNKNOWN	)

## REVOCATION AND POWER OF ATTORNEY AND CHANGE OF ADDRESS

Commissioner for Patents Washington, D.C. 20231

#### Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). The assignment is recorded at Reel 012288 and Frame 0504. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

Appl. No. Filed

Listed Below Listed Below

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints Elizabeth M. Barnes, Reg. No. 35,059 and other registrants of Customer No. 09157 as its attorneys and the registrants of Heller Ehrman White & McAuliffe LLP, 275 Middlefield Road, Menlo Park, California 94025, Telephone (650) 324-7000, Customer No. 35489, as its associate attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please correct the address for all future communications relative to the below referenced pending patent application to the following address:

Ginger R. Dreger
Heller Ehrman White & McAuliffe LLP
275 Middlefield Road
Menlo Park, California 94025
Telephone: 650-324-7000

Appln. No.	Appln. Date	GNE Docket	HEWM Docket No.
		No.	
09/946;374	9/4/2001	P2830P1C1	39780-2830.001 US C
10/006,104	12/6/2001	P2830P1C2	39780-2830.002 US C
10/006,063	12/6/2001	P2830P1C3	39780-2830.003 US C
10/006,818	12/6/2001	P2830P1C4	39780-2830.004 US C
10/006,746	12/6/2001	P2830P1C5	39780-2830.005 US C
10/007,194	12/6/2001	P2830P1C6	39780-2830.006 US C
10/006,130	12/6/2001	P2830P1C7	39780-2830.007 US C
10/006,041	12/6/2001	P2830P1C8	39780-2830.008 US C
10/006,485	12/6/2001	P2830P1C9	39780-2830.009 US C
10/006,768	12/6/2001	P2830P1C10	39780-2830.010 US C
10/006,172	12/6/2001	P2830P1C11	39780-2830.011 US C

Appl. No. Filed

#### Listed Below Listed Below

Appln. No.	Appln. Date	GNE Docket No.	HEWM Docket No.
10/007,236	12/6/2001	P2830P1C12	39780-2830.012 US C
10/006,117	12/6/2001	P2830P1C13	39780-2830.013 US C
10/006,856	12/6/2001	P2830P1C14	39780-2830.014 US C
10/006,116	12/6/2001	P2830P1C15	39780-2830.015 US C
10/012,101	12/7/2001	P.2830P1C16	39780-2830.016 US C
10/012,753	12/7/2001	P2830P1C17	39780-2830.017 US C
10/012,754	12/7/2001	P2830P1C18	39780-2830.018 US C
10/012,064	12/7/2001	P2830P1C19	39780-2830.019 US C
10/012,121	12/7/2001	P2830P1C20	39780-2830.020 US C
10/012,237	12/7/2001	P2830P1C21	39780-2830.021 US C
10/011,833	12/7/2001	P2830P1C22	39780-2830.022 US C
10/012,231	12/7/2001	P2830P1C23	39780-2830.023 US C
10/012,752	12/7/2001	P2830P1C24	39780-2830.024 US C
10/011,795	12/7/2001	P2830P1C25	39780-2830.025 US C
10/012,149	12/7/2001	P2830P1C26	39780-2830.026 US C
10/011,671	12/7/2001	P2830P1C27	39780-2830.027 US C
10/012,755	12/7/2001	P2830P1C28	39780-2830.028 US C
10/012,137	12/7/2001	P2830P1C29	39780-2830.029 US C
10/011,692	12/7/2001	P2830P1C30	39780-2830.030 US C
10/013,430	12/10/2001	P2830P1C31	39780-2830.031 US C
10/013,912	12/10/2001	P2830P1C32	39780-2830.032 US C
10/013,910	12/10/2001	P2830P1C33	39780-2830.033 US C
10/013,907	12/10/2001	P2830P1C34	39780-2830.034 US C
10/013,909	12/10/2001	P2830P1C35	39780-2830.035 US C
10/013,906	12/10/2001	P2830P1C36	39780-2830.036 US C
10/013,915	12/10/2001	P2830P1C37	39780-2830.037 US C
10/015,822	12/10/2001	P2830P1C38	39780-2830.038 US C

Appl. No. Filed

#### Listed Below Listed Below

Appln. No.	Appln. Date	GNE Docket No.	HEWM Docket No.
10/013,911	12/10/2001	P2830P1C39	39780-2830.039 US C
10/013,913	12/10/2001	P2830P1C40	39780-2830.040 US C
10/015,394	12/11/2001	P2830P1C41	39780-2830.041 US C
10/015,499	12/11/2001	P2830P1C42	39780-2830.042 US C
10/015,653	12/11/2001	P2830P1C43	39780-2830.043 US C
10/015,388	12/12/2001	P2830P1C44	39780-2830.044 US C
10/015,869	12/11/2001	P2830P1C45	39780-2830.045 US C
10/015,393	12/11/2001	P2830P1C46	39780-2830.046 US C
10/015,671	12/11/2001	P2830P1C47	39780-2830.047 US C
10/015,389	12/11/2001	P2830P1C48	39780-2830.048 US C
10/015,519	12/11/2001	P2830P1C49	39780-2830.049 US C
10/015,480	12/11/2001	P2830P1C50	39780-2830.050 US C
10/015,385	12/12/2001	P2830P1C51	39780-2830.051 US C
10/015,610	12/12/2001	P2830P1C52	€39780-2830.052 US∜€3
10/015,390	12/12/2001	P2830P1C53	39780-2830.053 US C
10/015,387	12/12/2001	P2830P1C54	39780-2830.054 US C
10/015,386	12/12/2001	P2830P1C55	39780-2830.055 US C
10/015,715	12/12/2001	P2830P1C56	39780-2830.056 US C
10/015,395	12/12/2001	P2830P1C57	39780-2830.057 US C
10/015,392	12/12/2001	P2830P1C58	39780-2830.058 US C
10/015,391	12/12/2001	P2830P1C59	39780-2830.059 US C
10/017,867	12/13/2001	P2830P1C60	39780-2830.060 US C
10/017,407	12/13/2001	P2830P1C61	39780-2830.061 US C
10/017,253	12/14/2001	P2830P1C62	39780-2830.062 US C
10/017,527	12/13/2001	P2830P1C63	39780-2830.063 US C
10/017,610	12/13/2001	P2830P1C64	39780-2830.064 US C
10/020,063	12/13/2001	P2830P1C65	39780-2830.065 US C

Appl. No.

Filed

**Listed Below Listed Below** 

Appln. No.	Appln. Date	GNE Docket No.	HEWM Docket No.
10/017,306	12/13/2001	P2830P1C66	39780-2830.066 US C
10/017,390	12/13/2001	P2830P1C67	39780-2830.067 US C
10/226,254	8/21/2002	P2830P1C68	39780-2830.068 US C

Please use Customer No. 35489 for all communications.

Respectfully submitted,

Dated: 2-19-03

Ву:

Registration No. 42,767

EmB

Title: Section Patent Counsel

Address: 1 DNA Way

South San Francisco, CA

94080

SV 417930 vl 2/18/03 2:07 PM (99976.0201)